



INTERIOR BOARD OF INDIAN APPEALS

Paiute Indian Tribe of Utah v. Acting Western Regional Director, Bureau of Indian Affairs

43 IBIA 195 (07/28/2006)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
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ARLINGTON, VA 22203

PAIUTE INDIAN TRIBE OF UTAH,	:	Order Dismissing Appeal
Appellant,	:	
	:	
v.	:	
	:	Docket No. IBIA 06-52-A
ACTING WESTERN REGIONAL	:	
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee.	:	July 28, 2006

The Paiute Indian Tribe of Utah (Tribe) appealed to the Board, pursuant to 25 C.F.R. § 2.8 (appeal from inaction), from the alleged failure of the Acting Western Regional Director, Bureau of Indian Affairs (Regional Director; BIA), to make a timely decision on the Tribe's fee-to-trust application for a 6.8-acre parcel of land located in Cedar City, Utah.

At the request of the Board, on March 20, 2006, the Regional Director provided a status report on this matter, to which the Tribe filed a response. On June 1, 2006, the Board requested an updated status report, which the Board received on June 14, 2006. In his updated status report, the Regional Director states he has decided to accept the subject property in trust and that on May 17, 2006, he provided the Chairwoman of the Tribe with a letter of his intent to do so. The Regional Director also states that he notified interested parties of the decision, and advised them of their administrative appeal rights. The Regional Director attached copies of his letter of intent and other relevant documents. The Tribe has not filed a response to the Regional Director's status report.

Based on the Regional Director's report of the action he has taken on the Tribe's request, the Board concludes that this section 2.8 appeal from the Regional Director's inaction is moot. See Wind River Resources Corp. v. Western Regional Director, 42 IBIA 72 (2005); Paiute Indian Tribe of Utah v. Western Regional Director, 40 IBIA 278 (2005).

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses this appeal as moot.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Amy B. Sosin
Acting Administrative Judge